

Cooper, Jamal

From: Gordon, Lisa Perras
Sent: Monday, March 27, 2017 9:35 AM
To: Wetherington, Michele; Baschon, Carol; Cooper, Jamal; Petter, Lauren; Hansel, Joel; Godfrey, Annie
Subject: SC WWR v. TUCP.

Had a good side-chat with Jim Keating on Friday. We went through the SC Water Withdrawal Rule together. (b) (5)

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I reiterated how important it is to include information on the ramifications of activities that change critical flow or impair waters. I asked Jim if HQ would consider using the language from previously vetted documents on flow. He said they'd be happy to do that and asked for the links we'd like them to use, which I sent below. Overall, a great discussion.

Lisa

From: Gordon, Lisa Perras
Sent: Friday, March 24, 2017 3:17 PM
To: Keating, Jim <Keating.Jim@epa.gov>
Subject: Other Flow Docs.

Jim,

Here's the link to the [2016 IR Guidance](#). The section on how to address hydrologically altered waters in Category 4C is in Section 5 beginning on page 13. It's heavily footnoted so we could capture all the earlier places where we said this before. The guidance came out too late in the 2016 cycle for many states to use it, but there are expectations for states to use it for the 2018 cycle. And, in fact, we are beginning to see waters identified as impaired that had not been before across the country. The NGOs are watching this very closely and we're tracking the changes with OWOW.

We worked on the update to [Chapter 5.2 of the WQS Handbook](#) in 2014. Beginning on page 13 of that section, we discussed how the critical low flows are changing and encourage states to update critical low flow values. We discuss the potential that recurring droughts and subsequent increased withdrawals may contribute to changing critical flows, so that might be helpful for the TUCP type of issue. In R4, we now ensure that permit fact sheets include updated critical low flows at each permit reissuance. States like AL have already made some effluent limits more stringent based on flow reductions.

We also put in writing to states that existing TMDLs need to be redone when the flows change. Flow is listed as a critical factor in the TMDL guidance. There's a very short write-up on that in the [Final Flow Technical Paper](#). (page 123.)

Hopefully these will provide some language that will be helpful for the ramification of these non-CWA types of activities. Thanks a bundle.

Lisa G.
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